

**UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JOSEPH A. BARKER, REGIONAL)
DIRECTOR OF REGION 13 OF THE)
NATIONAL LABOR RELATIONS BOARD,) Case No. 08CV2771
FOR AND ON BEHALF OF THE NATIONAL)
LABOR RELATIONS BOARD) Judge Gottschall
Petitioner,) Magistrate Judge Valdez
)
v.)
)
INDUSTRIAL HARD CHROME LTD., BAR)
TECHNOLOGIES LLC, FLUID POWER)
MANUFACTURING, A SINGLE EMPLOYER)
)
Respondents.)
)
)
)

**JOINT MOTION TO STAY PETITION FOR PRELIMINARY INJUNCTION UNDER
SECTION 10(j) OF THE NATIONAL LABOR RELATIONS ACT**

Respondents, Industrial Hard Chrome, Bar Technologies, LLC and Fluid Power Manufacturing, and Petitioner, Joseph A. Barker, Regional Director of Region 13 of the National Labor Relations Board (“the Board”), respectfully moves this Court for an order staying Petitioner’s Petition for Preliminary Injunction under Section 10(j) of the National Labor Relations Act (“the Act”) currently pending in the United States District Court for the Northern District of Illinois, and state as follows:

1. On May 13, 2008, Petitioner filed a Petition for Preliminary Injunction under Section 10(j) of the Act in this Court. Petitioner filed this Petition pursuant to a Complaint issued in Case No. 13-CA-44552 by Joseph A. Barker, Regional Director of Region 13 alleging

Respondent violated Section 8(a)(1)&(5) of the Act by refusing to bargain with and withdrawing recognition from the United Steel Workers of America, AFL-CIO (hereafter the Union).

2. On June 20, 2008, Respondent filed its Answer to the Petition for Preliminary Injunction under Section 10(j) of the Act.

3. On June 23, 2008 a trial was scheduled to commence in Case No. 13-CA-44552 at the National Labor Relations Board.

4. On June 23, 2008 a formal settlement agreement was entered into by the parties settling the complaint issued in Case No. 13-CA-44552 by the Regional Director that was the premise for the Petition for a Preliminary Injunction.

5. Pursuant to the terms of the settlement agreement, Respondent is required to comply with the terms of the settlement agreement by no later than December 23, 2008, six months from June 23, 2008, the date the settlement agreement was approved by the Regional Director.

6. As a result of the settlement agreement, and the Respondent's future compliance, Petitioner's request for an injunction shall become moot.

7. Accordingly, Respondent and Petitioner move this Court to stay all proceedings in this matter until December 23, 2008, the date upon which the Respondent will have complied with the terms of the settlement agreement.

WHEREFORE, Respondent and Petitioner request that this Court grant this Joint Motion and stay this matter until compliance with the settlement agreement has occurred, at which point the matter will be considered closed by the NLRB. Respondent and Petitioner further request

that if the Court does grant the joint motion that it also set a status date for December 23, 2008, or soon thereafter.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that she caused to be served a true and correct copy of the **JOINT MOTION TO STAY PETITION FOR PRELIMINARY INJUNCTION UNDER SECTION 10(J) OF THE NATIONAL LABOR RELATIONS ACT** to the Clerk of Court for filing and uploading to the CM/ECF system which will send notification of such filing to the following individual(s):

Elizabeth Cortez
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209 S. LaSalle Street, Suite 900
Chicago, Illinois 60604

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